

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHN UTESCH, et al.,
Plaintiffs,**

v.

**LANNETT COMPANY, INC., ARTHUR
P. BEDROSIAN, MARTIN P. GALVAN,
Defendants.**

CIVIL ACTION

NO. 16-5932

ORDER

AND NOW, this 12th day of August 2021, upon consideration of Plaintiffs University of the following: Puerto Rico Retirement System and Ironworkers Locals 40, 361 & 417 Union Security Funds' Motion for Class Certification (ECF No. 121), Defendants Lannett Company, Inc., Arthur P. Bedrosian, and Martin P. Galvan's Response thereto (ECF No. 156), and Plaintiffs' Reply in further support thereof (ECF No. 168); Plaintiffs' Motion to Exclude the Report and Testimony of Jennifer Marietta-Westberg (ECF No. 175), Defendants' Response thereto (ECF No. 180), and Plaintiffs' Reply in further support thereof (ECF No. 181); and, Defendants' Motion to Exclude the Opinions of Chad Coffman (ECF No. 177), Plaintiffs' Response thereto (ECF No. 179), and Defendants' Reply in further support thereof (ECF No. 182); and, following oral argument held on the Motion for Class Certification on May 24, 2021 (ECF No. 170) and a hearing on Defendants' Motion to Exclude on July 27, 2021 (ECF 191), for the reasons set forth in the accompanying Opinion entered this day, it is **HEREBY ORDERED** as follows:

1. Plaintiffs' Motion to Exclude (ECF 175) is **DENIED**;
2. Defendants' Motion to Exclude (ECF 177) is **DENIED**;
3. Plaintiff's Motion for Class Certification (ECF 121) is **GRANTED**, and the following class is **CERTIFIED** pursuant to Federal Rule of Civil Procedure 23(b)(3):

- a. All persons and entities who purchased or acquired the publicly traded common stock of Lannett Company, Inc. (“Lannett” or the “Company”) during the period from July 15, 2014 and October 31, 2017, inclusive (the “Class Period”), and who were damaged thereby (the “Class”). Excluded from the Class are Defendants, the officers and directors of the Company, at all relevant times, members of their immediate families and their legal representatives, heirs, successors or assigns and any entity in which Defendants have or had a controlling interest.
4. Lead Plaintiff University of Puerto Rico Retirement System and Plaintiff Ironworkers Locals 40, 361 & 417 Union Security Funds are appointed as Class Representatives.
5. Lead Counsel Abraham, Fruchter & Twersky, LLP is appointed as Class Counsel pursuant to Federal Rule of Civil Procedure 23(g).

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.